

**REMARKS**

In accordance with the foregoing claims 1-11, 13-15 and 18-20 have been amended, new claims 21-29 have been added and claims 1-29 are pending and under consideration.

**CLAIM OBJECTIONS**

Claim 19 is objected to because of informalities as the claim has a typographical error. Appropriate correction has been made and the typographical error has been corrected.

Based on the foregoing, this objection is respectfully requested to be withdrawn.

**REJECTIONS UNDER 35 U.S.C. §112:**

On page 2 of the Office Action, the Examiner rejects claims 2, 3 and 9-13 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is believed that, in the context of the claim set, claim 2 of the present application is sufficiently clear so as to not be indefinite to one of ordinary skill in the art for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. However, claim 2 has been amended as indicated without narrowing the scope thereof. It is believed that the currently amended claim 2 provides clear definition as to what "selecting" means with respect to "selecting the two successive, empty disc mounting recesses to be exposed when empty disc mounting recesses are found," as claim 2 has been amended with "to be exposed". Therefore, it is respectfully requested that the Examiner reconsider and withdraw the rejection.

Furthermore, it is believed that, in the context of the claim set, claim 3 of the present application is sufficiently clear so as to not be indefinite to one of ordinary skill in the art for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Nonetheless, claim 3 has been amended as indicated without narrowing the scope thereof. It is believed that the currently amended claim 3 provides clear definition as to what "selecting" means as per "selecting the two successive, empty disc mounting recesses to be

exposed when empty disc mounting recesses are found." Therefore, it is respectfully requested that the Examiner reconsider and withdraw the rejection.

With respect to claim 9 of the present application, it is believed that, in the context of the claim set, claim 9 is sufficiently clear so as to not be indefinite to one of ordinary skill in the art for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, however, claim 9 has been amended as indicated without narrowing the scope thereof. It is believed that the currently amended claim 9 provides clear definition regarding what "selecting" means as per "selecting the two successive, empty disc mounting recesses to be exposed when empty disc mounting recesses are found." Therefore, it is respectfully requested that the Examiner reconsider and withdraw the rejection.

Furthermore, Applicant respectfully asserts that claims 10-12 are allowable at least because of their dependencies on claim 9. Furthermore, Applicants respectfully assert that dependent claims 10-12 are allowable at least because of their dependencies from claim 9, and because they include additional features which are not taught or suggested by the prior art. Therefore, it is respectfully requested that the Examiner reconsider and withdraw the rejection.

It is believed that, in the context of the claim set, claim 13 of the present application is sufficiently clear so as to not be indefinite to one of ordinary skill in the art for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, however, claim 13 has been amended as indicated without narrowing the scope thereof. It is believed that claim 13, as amended, provides clear definition as per the meaning of "selecting" with respect to "selecting the two successive, empty disc mounting recesses to be exposed when empty disc mounting recesses are found." Therefore, it is respectfully requested that the Examiner reconsider and withdraw the rejection.

**REJECTIONS UNDER 35 U.S.C. §102:**

On page 3 of the Office Action, the Examiner rejects claims 1, 19 and 20 under 35 U.S.C. §102(b) as being anticipated by Isobe et al. (U.S. Publication No. 1994/5,341,352). The rejection is respectfully traversed and reconsideration is respectfully requested.

For the purpose of review, Isobe et al. discloses a multi-disc player for discs such as compact discs and video discs, where a compact disc can be loaded and played back while not

having to remove a video disc that was previously loaded into the multi-disc player, or vice versa, and further discloses a multi-disc player that allows for the loading of a video disc while a compact disc is being played, or vice versa (Isobe, col. 1, lines 45-51). The loading of multiple discs is done by having two loading trays, one compact disc tray and one video disc tray, as can be seen in figs. 1, 2, 3 and 5. Isobe also discloses a disc tray with multiple disc mounting recesses, as can be seen in fig. 10 of Isobe, which also discloses an opening of the disc tray.

Although fig. 10 shows two disc mounting recesses as exposed, this disclosure does not teach or suggest a method comprising moving two successive, empty disc mounting recesses to an exposure position so that discs can be simultaneously mounted on the recesses when the tray is opened if a tray open command to mount two discs simultaneously is input by a user. A figure showing two disc mounting recesses being exposed does not teach or suggest a disc tray opening happening when a tray open command to mount two discs simultaneously is input by a user. Additionally, when Isobe discusses fig. 10 (Isobe, col. 3, line 26 to col. 4, line 6), there is no mention of a simultaneous mounting of discs into successive, empty disc mounting recesses, nor is there any mention of a command to mount two discs simultaneously. As such, fig. 10 does not suggest moving two successive, empty disc mounting recesses to an exposure position so that discs can be simultaneously mounted on the recesses when the tray is opened if a tray open command to mount two discs simultaneously is input by a user. Therefore, it is respectfully submitted that Isobe does not disclose, teach or suggest the features as recited in claim 1.

Isobe, at col. 3, lines 30-36, discusses how a video disc is clamped down when an instruction to eject the compact disc tray is issued, and though such actions are conditional on a command to eject or open a disc tray, Isobe does not disclose nor suggest determining whether such a command initiates a multiple disc mounting mode or a single disc mounting mode. The Isobe disclosure concerns mechanical actions after an open disc tray command has been issued and does not discuss the type of open disc tray command issued because Isobe does not disclose determining between different mounting modes. Isobe at col. 4, lines 33-38, discusses ejecting a video disc tray during or after playback of a compact disc when the video disc is clamped down and the subsequent mechanical procedure to unclamp and eject the video disc tray. With the video disc disclosed in Isobe, only one disc can be mounted at a time on the video disc tray, Isobe item 3, as clearly shown in figs. 1, 2, 4 and 7. When disclosing the opening of the video disc tray, Isobe does not suggest exposing multiple successive, empty disc

mounting recesses if a command initiates the multiple disc mounting mode or exposing one multiple disc mounting recess if the tray open command initiates a single disc mounting mode because, with respect to Isobe, only one video disc may be loaded onto the disc tray as shown. As such, Isobe does not disclose or suggest exposing multiple successive, empty disc mounting recesses. Therefore, it is respectfully submitted that Isobe does not disclose, teach or suggest the features as recited in claim 19.

With respect to claim 20 of the present application, Isobe, at col. 3, lines 30-36 and at col. 4, lines 33-38, does not teach or suggest determining whether the tray open command initiates a multiple disc mounting mode or a single disc mounting mode. As noted above, the two citations discuss the clamping and unclamping of the video disc tray upon an eject command for the compact disc tray (col. 3, lines 30-36) or an eject command for the video disc tray (col. 4, lines 33-38). Additionally, as discussed above, fig. 1 of Isobe merely shows an enlarged view of components of a disc player, notably, a compact disc tray, a video disc tray and components to hold such trays. Thus, neither of the text citations discussed immediately above, nor fig. 1 suggest opening the tray to expose multiple successive, empty disc mounting recesses if the command initiates the multiple disc mounting mode or to expose one multiple disc mounting recess if the tray open command initiates a single disc mounting mode. Therefore it is respectfully submitted that Isobe does not disclose, teach or suggest the features as recited in claim 20.

On page 5 of the Office Action, the Examiner rejects claims 6, 7 and 14 under 35 U.S.C. §102(b) as being anticipated by Kurosu et al. (U.S. RE 37,170). The rejection is respectfully traversed and reconsideration respectfully requested.

For the purpose of review, Kurosu discloses a disc tray loading mechanism with a loading gear pulling a disc tray into a casing while eliminating a collision sound usually occurring when the pulling in is completed and eliminating shock to the disc player resulting from such a collision (Kurosu, col. 3, lines 56-62) by reducing the pull-in speed of the disc tray before completion of the pulling in operation and having a cam engage an abutted portion of the disc tray to be moved with the pressing motion of the cam (Kurosu, Abstract). Kurosu discloses an OPEN/CLOSE button being depressed and a forward or reverse direction of a loading motor to eject or pull in a disc tray (Kurosu, col. 15, lines 20-28) with such disc tray having multiple disc mounting recesses (Kurosu, figs. 3, 5 and 6). However, fig. 3 of Kurosu shows only a single disc mounting recess being fully exposed, while other disc mounting recesses remain inaccessible

for mounting. Though the Examiner may be correct in stating that the Kurosu device "always exposes more than one disc mounting recess when it is opened", as shown in fig. 3, it must be noted that only one disc mounting recess is fully exposed and thus only a single disc mounting recess may be unloaded of or loaded with a compact disc. Figure 3 clearly shows only one compact disc being loaded or unloaded (Kurosu, fig. 3, item 20) and does not disclose or suggest a multiple disc mounting mode. Additionally, fig. 3 of Kurosu does not suggest a method comprising determining whether the tray open command initiates a multiple disc mounting mode and, furthermore, does not suggest opening the tray to expose multiple successive, empty disc mounting recesses if the command initiates the multiple disc mounting mode. Therefore, it is respectfully submitted that Kurosu does not disclose, teach or suggest the features as recited in claim 6.

Furthermore, Applicant respectfully asserts that dependent claims 7 and 14 are allowable at least because of their dependency from claim 6, and because they include additional features which are not taught or suggested by the prior art. Therefore, it is respectfully submitted that claims 7 and 14 also distinguish over the prior art.

On page 6 of the Office Action, the Examiner rejects claims 15-17 under 35 U.S.C. §102(b) as being anticipated by Kim (U.S. Publication No. 2004/0013054). The rejection is respectfully traversed and reconsideration respectfully requested.

For the purpose of review, Kim discloses a method to reduce program selection time in an optical-disc multi-changer by detecting whether a disc is mounted on a disc mounting unit before the disc is chucked and the type of disc is determined (Kim, par. 0013). Additionally, Kim, at par. 0018, discloses an optical disc multi-changer, a tray to mount discs and a control device to determine whether a disc is currently mounted on a current disc mount and outputs a signal indicating such. Figure 2 of Kim shows an optical disc tray with multiple disc mounting units (Kim, item 200) exposing more than one disc mounting unit and also shows a main controller (Kim, item 203) to controlling a disc driving unit (Kim, item 201). However, fig. 2, and the combination of the items noted above, does not suggest or teach a microprocessor that, when the user inputs a multiple disc mounting command, responsively controls the roulette motor based on the information received from a detection sensor so that multiple successive, empty disc mounting recesses are moved to loading/unloading positions. Kim does not teach such because fig. 2 merely shows the interconnection of the three noted items and does not disclose or teach any operation of such items. Therefore, it is respectfully submitted that Kim does not

disclose, teach or suggest the features as recited in claim 15.

Furthermore, Applicant respectfully asserts that dependent claims 16 and 17 are allowable at least because of their dependency from claim 15, and because they include additional features which are not taught or suggested by the prior art. Therefore, it is respectfully submitted that claims 16 and 17 also distinguish over the prior art.

On page 7 of the Office Action, the Examiner rejects claim 18 under 35 U.S.C. §102(b) as being anticipated by Ryu (U.S. Publication No. 2004/0120226). The rejection is respectfully traversed and reconsideration respectfully requested.

For the purpose of review, Ryu discloses a method of reproducing an optical disc that has a plurality of titles and which can perform an all disc repeat play operation or an all disc successive play operation on discs loaded in a multi-disc changer (Ryu, par. 0013). Figure 1 of Ryu shows a roulette wheel or a multi-disc tray of a multi-disc changer with multiple discs being mounted. The disclosure in claim 18 of Ryu comprises four main steps, as summarized here: a) a multi-disc changer identifying a type of a specific disc when an all disc repeat play mode is set and when a plurality of discs are loaded in the changer that waits at a menu before and after DVD reproduction; b) if the identified disc type is a DVD, forcibly reproducing any of the plurality of titles on the DVD as per the navigation information on the DVD; c) forcibly terminating reproduction when the title reproduction is complete; and d) rotating the multi-disc tray in order to move the disc seated in the next slot into a position readable by the optical pickup. Step d in claim 18 of Ryu suggests the playing of discs in sequential order of disc loading, as the Examiner notes. However, the Examiner is incorrect in asserting that this sequential playing of discs suggests a method of reproducing data on discs in which priority is established among the discs. Step a of claim 18 in Ryu discloses identifying a type of a disc, i.e. DVD, CD or data disc, that is mounted at a position readable by an optical pickup. Ryu does not suggest determining whether the discs are mounted on successive, empty disc mounting recesses which are selected when the multiple disc mounting mode has been initiated because Ryu does not disclose a multiple disc mounting mode and only discloses identifying a type of disc. Step b of claim 18 in Ryu discloses the reproduction of titles on a DVD based on navigation information of such DVD and does not disclose or suggest reproducing a first disc having high priority, if discs are mounted on selected successive, empty disc mounting recesses because Kim bases reproduction on DVD navigation information. Therefore, it is respectfully submitted that Ryu does not disclose, teach or suggest the features as recited in claim 18 of the present application.

**REJECTIONS UNDER 35 U.S.C. §103:**

On page 8 of the Office Action, the Examiner rejects claims 2 and 3 under 35 U.S.C. §103(a) as being unpatentable over Isobe in view of Kim. The rejection is respectfully traversed and reconsideration respectfully requested.

The Examiner asserts that Isobe teaches the method of claim 1, which claim 2 is dependant on, however, the Examiner's assertion and rejection of claim 1 has been respectfully traversed in the preceding section. Nonetheless, with respect to claim 2 of the present application, the Examiner accepts that Isobe does not teach searching for two successive, empty disc mounting recesses if the tray open command is applied and does not teach selecting the two successive, empty disc mounting recesses to be exposed when empty disc mounting recesses are found, but asserts that the abstract of Kim teaches such. The abstract of Kim, in providing a general description of the Kim invention, states that it serves to "reduce a program selection time by determining whether the disc is mounted on the disc mounting unit before the disc chucking and discrimination of the type of the disc are performed" (Kim, abstract). In the abstract, Kim discloses: "determining whether a disc is mounted on a disc mounting unit before it is determined whether the disc is chucked." Kim is concerned with whether a single disc is mounted in a disc mounting recess in order to determine whether the disc will be chucked and therefore only teaches detecting a single disc and selecting the single disk for chucking. The Examiner purports that the Kim device "selects empty recesses and flags them with vacancy information," yet this assertion displays a misunderstanding of the Kim invention. The abstract of Kim states a method of "receiving a signal to determine whether a disc is mounted on a current disc mounting unit of the disc mounting units" and thus is only concerned with whether or not a current disc mounting unit has a disc which should be chucked. Kim does not teach selecting successive, empty disc mounting recesses nor flagging a succession of disc mounting recesses with vacancy information, as the Examiner purports. Thus, it is respectfully asserted that Kim does not disclose, teach or suggest the features as recited in claim 2.

With respect to claim 3 of the present invention, the Examiner purports that the abstract of Kim discloses that Kim will inherently select two successive, disc mounting recesses, which are not both empty, to be exposed if two successive, empty disc mounting recesses are not found. The Kim abstract makes no mention of selecting two successive disc mounting recesses, and furthermore, only detects whether a current disc mounting recess contains a disc to be chucked. As the conditions recited in claim 2 of the present application are not present in

the abstract of Kim, there cannot be any inherent action upon such conditions. Therefore, it is respectfully asserted that Kim does not disclose, teach or suggest the features as recited in claim 3.

As per the combination of Kim and Isobe, even with a motivation to combine features of both, such would not teach or suggest the features as recited in claims 2 and 3. Firstly, as noted above, Isobe does not teach or suggest the features of claim 1, the claim upon which claims 2 and claim 3 are dependent. Secondly, Kim only detects if a current disc mounting recess is empty and does not teach the features of claims 2 and 3 as shown above. Therefore it is respectfully asserted that a combination of Kim and Isobe would not teach the features as recited in claim 2 and would not teach the features as recited in claim 3.

On page 9 of the Office Action, the examiner rejects claims 4 and 5 under 35 U.S.C. §103(a) as being unpatentable over Ryu in view of Isobe. This rejection is respectfully traversed and reconsideration respectfully requested.

With respect to claim 4 of the present application, Ryu teaches determining whether discs are mounted on pre-selected disc mounting recesses, and teaches reproducing a second disc when the reproduction of the first disc is completed. However, part a of claim 18 in Ryu does not teach reproducing a first disc having higher priority when a condition in which discs are mounted on the pre-selected successive, empty disc mounting recesses is determined to be in effect, because Ryu discloses merely identifying a type of a specific optical disc in a series of optical discs loaded in a multi-disc changer when an all-disc repeat play mode is selected. Thus, it is respectfully asserted that Ryu does not disclose, teach or suggest the features as recited in claim 4.

The Examiner concedes that Ryu does not teach reproducing data on discs in an optical disc changer which is suitable for a tray open mode that enables two discs to be mounted simultaneously, however the Examiner asserts that Isobe does teach such. Figure 10 of Isobe merely shows two disc mounting recesses are exposed and does not teach any actual features related to or associated with exposing two disc mounting units during a tray open mode. Furthermore, claim 1 of Isobe discloses a disc player with two tray means where there is a separate tray for a video disc and a separate tray for compact discs, and particularly discloses, among other features relating to a two disc tray disc player, a "loading means provided for each of said at least two tray means, each of said loading means moving a respective tray means

between a disk playback position and a disk non-playback position." The disclosures in claim 1 of Isobe pertain to two independent disc trays in one disc player and are not concerned with loading more than one disc on a single disc tray. Isobe does not teach a method of reproducing data on discs in an optical disc changer which is suitable for a tray open mode that enables two discs to be mounted simultaneously. Therefore, it is respectfully submitted that Isobe does not disclose, teach or suggest the features as recited in claim 4. Thus, as neither Ryu nor Isobe disclose, teach or suggest the features as recited in claim 4, it is respectfully asserted that, even in combination, Ryu and Isobe would not disclose, teach or suggest the features of claim 4.

Furthermore, Applicant respectfully asserts that dependent claim 5 is allowable at least because of its dependency from claim 4, and because it includes additional features which are not taught or suggested by the prior art. Therefore, it is respectfully submitted that claim 5 also distinguishes over the prior art.

On page 11 of the Office Action, the Examiner rejects claims 8-13 under 35 U.S.C. §103(a) as being unpatentable over Kurosu in view of Kim. The rejection is respectfully traversed and reconsideration respectfully requested.

With respect to claim 8 of the present application, which is dependant from claim 6, the Examiner purports that Kurosu teaches the method according to claim 6. As shown above, it is respectfully asserted that Kurosu does not teach the features as recited in claim 6. Additionally, the Examiner purports that fig. 3 of Kurosu teaches a command that initiates a multiple disc mounting mode. As discussed earlier, fig. 3 merely shows one disc mounting recess fully exposed and two disc mounting recesses partially exposed, and clearly shows that only one disc mounting recess is fully exposed when the disc mounting tray is open. The Examiner asserts that Kim, in its abstract, teaches searching for the multiple successive, empty disc mounting recesses. As discussed above, the abstract of Kim teaches "determining whether a disc is mounted on a disc mounting unit before it is determined whether the disc is chuck," and as such only determines if a current single disc mounting unit is empty, and does not teach searching for multiple successive, empty disc mounting recesses. Additionally, the combination of Kurosu and Kim would not provide a result that "disc reading will have data regarding the presence and location of consecutive empty disc mounting recesses" as the Examiner asserts, because both Kim and Kurosu only teach the reading of a single disc mounting recess. Therefore, it is respectfully asserted that Kurosu in view of Kim does not disclose, teach or suggest the features as recited in claim 8.

Furthermore, Applicant respectfully asserts that dependent claims 9, 10, 11, and 12 are allowable at least because of their dependency from claim 6, and because they include additional features which are not taught or suggested by the prior art. Therefore, it is respectfully submitted that claims 9, 10, 11 and 12 also distinguish over the prior art.

With respect to claim 13 of the present application, which is also defendant on claim 6, and regarding the Examiner's assertion that Kurosu teaches claim 6, the rejection of claim 6 has been respectfully traversed above. As for what Kim teaches, fig. 3a, items 302a or 304a do not teach selecting the two successive disc mounting recesses to be exposed because in the flowchart of fig. 3a, item 302a, as noted before, is a block that states "set flag for indicating that current disc mounting unit is empty". Thus, as noted above, Kim only sets a flag for a single and current disc mounting unit in order to transmit such information to the main controller so that no disc chucking occurs for an empty disc mounting recess. Additionally, the text for the 304a block of the Kim flow chart in fig. 3a states that when the current disc mounting unit is not found to be empty, the method of Kim "generates information that disc is mounted on current disc mounting unit and transmit information to main controller", with such information used by the main controller to generate a signal to chuck the disc (Kim, par. 0017). Thus, the flag setting of Kim is not applicable to and does not teach selecting two successive disc mounting recesses to be exposed. Furthermore, Kim does not teach recording the numbers of the recesses with items 303a and 304a of fig. 3a. As noted above, item 304a of Kim merely generates information that a disc is present on the current disc mounting unit and transmits such information to the main controller which then proceeds to chuck the disc, as stated in Kim para. 0017. Item 303a of Kim merely discloses that once a flag is set to indicate that the current disc mounting unit is empty, that such flag is transmitted to a main controller and Kim does not disclose recording numbers of the recesses because, in Kim, the main controller simply uses the flag indicating an empty disc mounting recess for the current disc mounting unit to output "a control signal to move to a next disc mounting unit" (Kim, para. 0036). Therefore, it is respectfully submitted that Kurosu in view of Kim does not disclose, discuss or teach the features as recited in claim 13.

Based on the foregoing, this rejection is respectfully requested to be withdrawn.

Additionally, Applicants have newly added claims 21-29 to the present application and believe such to be allowable as the prior art does not suggest an optical disc changer tray opening method, comprising selecting a disc mounting mode of either a multiple disc mounting mode or a single disc mounting mode, inputting a tray open command to initiate an opening of a

tray of a disc changer, the tray including multiple disc mounting recesses, determining whether the tray open command initiates a multiple disc mounting mode or a single disc mounting mode and opening the tray.

**CONCLUSION:**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: 10/7/08

By: 

Michael D. Stein  
Registration No. 37,240

1400 Eye St., NW  
Suite 300  
Washington, D.C. 20005  
Telephone: (202) 216-9505  
Facsimile: (202) 216-9510